

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:11cv74**

**FEDERAL DEPOSIT INSURANCE )  
CORPORATION, as Receiver for THE )  
BANK of ASHEVILLE, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
COLLIER DIMITRIS MARKET )  
HOLDINGS, LLC, et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )**

**ORDER**

Pending before the Court is Plaintiff's Motion to Dismiss [#16]. Plaintiff moves the Court to dismiss the claims against Defendant Daniel P. Collier in this case. Plaintiff seeks to voluntarily dismiss Defendant Collier as a party to this action as a result of his discharge from bankruptcy. The Court **GRANTS** Plaintiff's motion [# 16]. The Court **DISMISSES** the claims against Defendant Daniel P. Collier and **DIRECTS** the clerk to terminate Daniel P. Collier as a party to this action.

Signed: February 9, 2012

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

